

RUAN 1-1

2633

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

HONORABLE COMMISSIONER FOR PATENTS  
ALEXANDRIA, VA 22313

Re: Patent Application of: Ruan  
Application Serial No.: 09,820,513  
Filed: March 29, 2001  
Examiner: David C Payne  
Group Art Unit: 2633  
Title: Dynamic Passive Optical Network (PON) Using Distributed Optical Cross  
Connect And Dense Wavelength Division Multiplexing

Sir:

Enclosed for filing in the United States Patent and Trademark Office are the following:

1. Response to Notice of Non-Compliant Amendment
2. Transmittal Sheet
3. Postcard Receipt

**CONDITIONAL PETITION**

If any extension of time is required for the submission of the above-identified items, Applicant requests that this be considered a petition therefor. Please charge any additional charges relating to this matter to **Deposit Account No. 50-1944**. A duplicate copy of this letter is enclosed.

Respectfully submitted,

John A. Ligon

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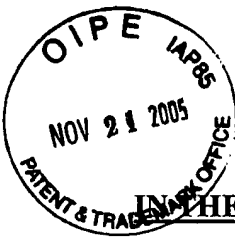
**PTO Customer No. 30541**

Dated: November 17, 2005

I hereby certify that this correspondence, including the referenced enclosures, is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 on November 17, 2005.

By:

  
John A. Ligon

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re the Patent Application of:

**Ruan**Serial No.: **09/820,513**Filed: **March 29, 2001****Title: Dynamic Passive Optical Network (PON)  
Using Distributed Optical Cross Connect  
And Dense Wavelength Division  
Multiplexing**Group Art Unit: **2638**Examiner: **David C Payne**Dated: **November 17, 2005**HONORABLE COMMISSIONER FOR PATENTS  
ALEXANDRIA, VA 22313**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Dear Sir:

Pursuant to the Notice of Non-Compliant Amendment dated October 24, 2005 and received in regard to the above-captioned application, please enter the following response. It appears that the only issue raised by the Notice is the marking of certain previously cancelled claims sought to be reinstated in the case as "Reinstated." Applicant now understands that the proper procedure is to introduce the previously cancelled claims here as new claims. To that end, this response modifies the prior response to leave the cancelled claim numbers marked as "Cancelled" and to add new claims corresponding to the claims previously sought to be reinstated. Minor changes in the textual materials have also been made to account for the corrected claim marking.